

Exide Facility Closure

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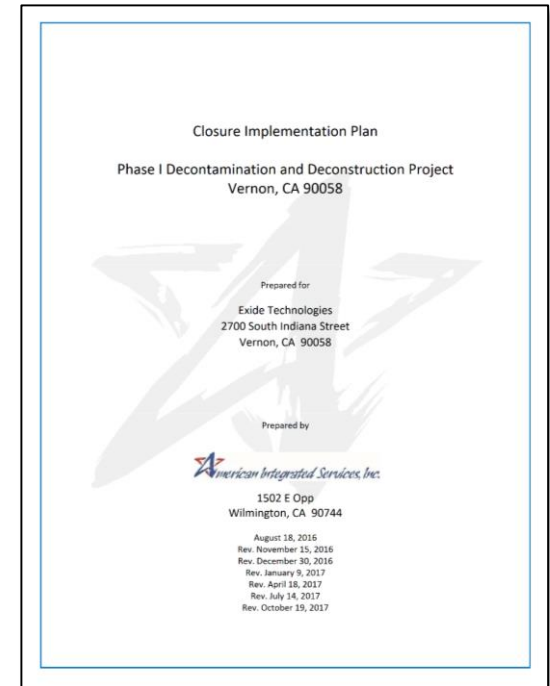
Previous Actions

- December 8, 2015 – Draft Closure Plan and Draft Environmental Impact Report (EIR) released for comment
- December 8, 2016 – Final Closure Plan and Final EIR



Previous Actions (continued)

- January 10, 2017 – Exide submitted a Closure Implementation Plan (CIP). DTSC reviewed the CIP in coordination with:
 - South Coast Air Quality Management District (SCAQMD)
 - California Division of Occupational Safety and Health (Cal/OSHA)
- October 2017 – CIP finalized and approved
- September 2017 – Coordination Meeting with DTSC, SCAQMD, Cal/OSHA, Vernon, Exide



Additional Information

- See <http://www.dtsc.ca.gov/HazardousWaste/Projects/ExideClosure.cfm>

Closure, Phase I Overview

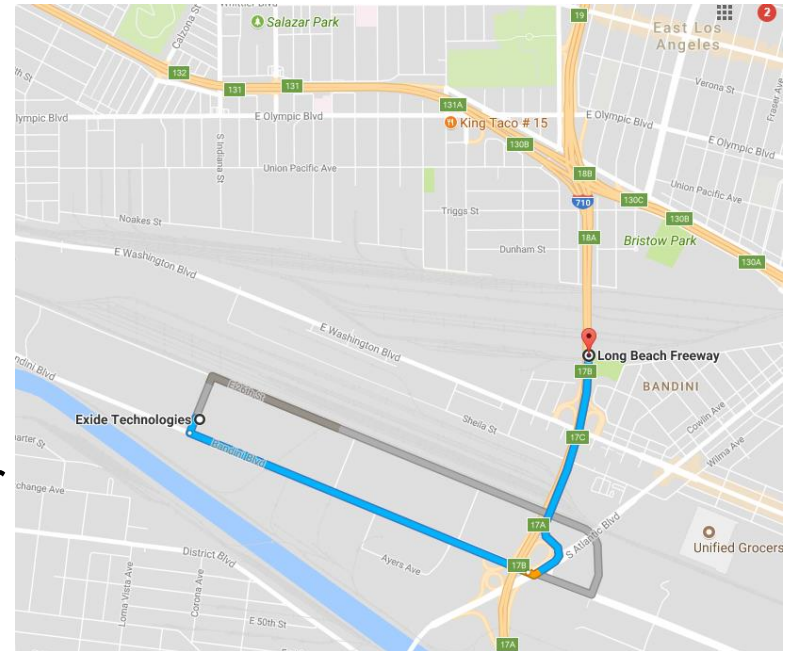
- Scheduled for Nov 2017 to Fall 2020
- Removal of Regulated Units
- Removal of Containment Buildings and some ancillary buildings
- Conduct soil sampling
 - Develop plan for Phase 2 – address soils and foundations to dovetail with on-site corrective action

Work Flow – Three Week Look Ahead

- Preconstruction Activities
 - Mobilize and set up equipment – trailers, decon trailer, yellow iron, etc.
 - Mark and map all Regulated Units
- De-Energize and/or Reroute Electrical Lines
- Sump and Crack sealing
- Gross decon
- Disassemble and stage Regulated Units to be Transported to other Exide Facilities

Key Elements

- Enhanced protections for workers
- Deconstruction activities occur within negative air pressure environment
- Continuous air monitoring
- Prescribed truck routes
- Trucks marked with visible yellow flag
- Required truck wash, cover and inspection
- Vehicle Emission Controls: USEPA Tier 4 diesel engines; idling restrictions; low sulfur diesel fuel
- Third-Party QA Contractor to document compliance



Exide Residential Cleanup

Presenter:

Hortensia Muniz, P.E.
Supervising Hazardous Substances Engineer
Brownfields and Environmental Restoration
Program



Cleanup Plan and Environmental Impact Report

July 2017

- Public Noticed Final Cleanup Plan and Final EIR
- Public Notice mailed to over 18,000 addresses
- Presented at
 - 3 Public Meetings
 - 5 city council meetings



Notifying Property Owners & Tenants for Cleanup

On September 22, 2017:

- Notification letters sent to property owners of properties sampled before June 30, 2017
- Properties prioritized for cleanup include:
 - 2,064 Residential Properties
 - 4 Schools
 - 4 Parks
 - 39 Day Care and Child Care Centers



Prioritization Under the Cleanup Plan



Outreach Activities for Cleanup

- Coordination with Property Owners and Tenants underway
- Day Care Centers and Child Care Facilities were contacted in the month of October 2017
- 228 Initial Meetings



Focused Outreach Activities for Sampling

- Verification and contact with property owners of properties designated with sensitive land
- Property Owners or Tenants who provided access but have not actually allowed DTSC on site for sampling
- Certified Letters to Property Owner and Tenants
 - June 2017
 - December 2017

Evaluation of Parkways for Cleanup

- Parkways predominantly used in a transient manner and do not pose same potential for exposure as a residential front or backyard
- Parkways must to be evaluated for cleanup on a separate track from the residential cleanup
- Cleanup must be risk based

City	Ownership	Maintenance
Maywood	City	City / Property Owner
Commerce	Mostly City	Mostly City
Bell	City	Property Owner
Huntington Park	City	Property Owner
City of Los Angeles	City	Property Owner
Vernon	City	City / Property Owner
County of Los Angeles (Unincorporated Area)	County	County / Property Owner

Project Labor Agreement (PLA)

- The first state-negotiated PLA
 - DTSC, Los Angeles and Orange County Building and Construction Trades Council negotiated the PLA
- PLA governs labor on the Exide Residential Cleanup Project
 - promotes clear communication and prevents work disruptions,
- Provides community economic benefits
- Strong targeted hire program

Hiring Category (categories will overlap)	Target (% of project hrs.)
New Environmental Workers (Laborer, WERC graduate, Community Resident)	50%
Community Residents (zip codes in 1.7 mile radius)	20%
Transitional Workers (experience significant barriers to employment)	25%
Local Residents (low-income zip codes in 10 mile radius)	30%

Cleanup Project Invitation for Bid

• August 10, 2017	Request for Bids Published
• August 23, 2017	Project Labor Agreement Finalized
• August 24, 2017	Bidders Conference, Vernon California
• September 19, 2017	Bid Opening
• September 29, 2017	Intent to Award Published
• Sept and Oct 2017	Protests Filed*
• October 24, 2017	Responses due to DGS
• October 31, 2017	Rebuttals from Protestors due to DGS
• December 5, 2017	DGS Statement of Decision

*Note: Protests are routine for large contracts.

Exide Technology Advisory Group Meeting

Attorney General's Office
Arcadis Investigation Report

Su Patel

- December 6, 2017

Allegations Against Arcadis

February 2017: DTSC received complaints regarding Arcadis, and allegations included:

1. Community workers hired by Arcadis were subjected to inappropriate and insensitive comments.
2. Workers were subjected to unsafe working conditions.
3. Data manipulation.

Attorney General's Office Investigation of Allegations

- February 2017:
 - DTSC informed Arcadis that DTSC was commencing an investigation into the allegations
 - DTSC referred the allegations to the Attorney General's Office to conduct an impartial investigation into the three allegations.

Attorney General's Office Investigation of Allegations

- November 16, 2017:
 - DTSC released the Attorney General's Office's report detailing its investigation, findings, and conclusions regarding the three allegations.
 - The Attorney General's Office's investigation:
 - Conducted by a senior Supervising Deputy Attorney General.
 - Spanned approximately nine (9) months.
 - Established a hotline for workers and residents to contact the Attorney General's Office directly.
 - 50 witnesses interviewed.
 - 3,000 pages of documents reviewed.

Attorney General's Office

Findings re Racially Insensitive Comments

I. The Attorney General's Office found that – “some racially inappropriate and insensitive comments were made by a few permanent members of Arcadis staff.”

- “Although the comments should have never occurred, the investigation confirmed that they were not pervasive.”
- “[T]he majority of community employees reported that they were never subjected to racial or inappropriate comments.”

Attorney General's Office

Findings re Worker Safety:

2. The Attorney General's Office found that - “employees were provided the appropriate safety equipment for the sampling effort.”

- Level D Personal Protective Equipment was appropriate for the sampling effort.
- Air purifying respirators were not needed for employees conducting soil cooking/drying activities.
- DTSC ceased sampling by dry protocol in February 2017 to be fully responsive to worker safety concerns.

Attorney General's Office

Findings re Data Manipulation

3. The Attorney General's Office found that - “there was no manipulation of data and, more importantly, the data collected by the employees appears to be reliable.”

- DTSC and its contractors ensured that “redundancies and quality review systems [were] in place to make sure data was not compromised.”

DTSC Actions

- Continue to promptly respond to allegations regarding inappropriate activity by its contractors.
- Continue to engage in a quality review process and ensure clear and consistent messaging to its contractors regarding contract requirements.
- Require contractors to immediately report allegations of inappropriate activity to DTSC.
- Add cultural sensitivity training to required training program for all contractors, including the Exide cleanup contractor.